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DoD Initiatives To Improve The Personnel Security Investigation Process

By LCDR Thomas J. Verry

Secrets that affect national security are only as good as the people who keep them. The Department of Defense (DoD) personnel security system, which governs clearances and access to national secrets, has been remiss in its responsibilities to provide timely and accurate assessment of personnel who control those secrets. (GAO, 1999) The key responsible agencies within the DoD have received intense pressure to correct the current personnel security system problems. This system has not been able to deliver its personnel security product in a timely and reliable manner. The long-term solution to the problem of backlogged investigations is still unclear, but the slow and unreliable delivery of investigations and clearances cannot continue because it threatens National Security (GAO, 1999).



Considering the fact that all of the spies within the last 20 years held top level clearances and would have been identified with a proper periodic reinvestigation (PR), when the backlog of PRs reached over a half of million personnel, Congress noticed. Ultimately because PRs produce very little negative review results (typically less than 1 percent of all cleared personnel), the emphasis within the Defense Security Service (DSS) was to process clearances that directly impacted operations. The emphasis was placed on initial investigations for new federal employees (including the military) and PRs were processed when time allowed. This procedure and the fact that cleared personnel with “expired” clearances do not automatically become ineligible for clearances, further exacerbated the declining priority of PRs within the DSS. When the GAO report charged the DSS with “threatening national security” the security clearance processing problem was quickly addressed.

Precipitating from the increased scrutiny on the Personnel Security Investigation (PSI) process, several commissioned studies revealed that the DSS investigators were chasing unproductive leads, namely residence interviews, during periodic reinvestigations. The federally mandated investigative standards require DSS investigators to conduct residence interviews, but fail to consider the actual cost-benefit those interviews have to the overall PSI process. Residence interviews, during routine PRs, constitute nearly 25 percent of the cost, but deliver less than one percent of any usable information to the final adjudicators. (See Table 1)

Table 1: Cost-benefit of PR elements

Source	% of of Cost	Cumulative Cost	% of Benefit	% of Cumulative Benefit	Phase
SF-86 (PSQ)					
Credit Report					
NAC, LAC					
Ex Spouse Interview	20%	20%	58%	58%	
Subject Interview	25%	45%	30%	88%	
Employment					
References	18%	63%	6%	94%	
Listed/Developed					
References	14%	77%	5%	99%	
Resident					
Interview/Records	23%	100%	1%	100%	

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These statistics led researchers to investigate an alternative investigative standard that considers the benefit of each element contained in the PR.

Capitalizing on the studies produced by the Defense Personnel Security Research Center, PERSEREC, the Phase PR concept, known as the “Phased PR” prioritizes the elements used while conducting a PR and addresses the most productive source first. PRs consist of required elements (e.g., records checks and interviews) that can be separated into two categories. The top producing elements were segregated into Phase I elements, and the remainder into Phase II elements. Using this alternative approach to conducting PRs, the majority of the records tested in the study were identified using only the Phase I elements. The Phased PR was better than 99.7 percent effective compared to the current process, while saving an estimated 20-30 percent of the costs by not using Phase II elements. The cost savings of the Phase PR alternative could be as much as 39 million dollars annually for the DoD personnel security program.

In addition to the Phased PR, an alternative screening tool for the PSI process is being tested. The Automated Continued Evaluation System (ACES) may be the first significant change to the PSI process in decades. ACES is a software and hardware combination that extracts information from public, private, and commercial databases and analyzes the data. ACES software flags cases with issue-relevant information and notifies the Central Adjudication Facility (CAF) about the cases with questionable security issues. Because ACES is an automated system, it has the potential to screen personnel in near real time and make reports accordingly. The immediate advantages of ACES are that it can screen personnel more frequently than currently offered by the PSI process and it screens personnel that would have never received the next scheduled PR due to reassignment, transfer, or termination. The distinct improvement of quicker reviews on more personnel inherently improves the quality of the PSI process, but these improvements need to be evaluated in terms of the costs to the overall PSI process.

ACES costs consist of direct and indirect costs. The direct costs are addressed in the ACES program management plan, while the indirect cost is the impact the additional screening will have on the DSS and the CAFs. The impact costs to screen personnel is listed in Table 2.

Table 2: ACES impact costs

(FY 03) Million	DoD Annual ACES Costs	Navy Annual ACES Costs
Top Secret MP	\$8,586,000	\$1,596,000
Top Secret-A	\$24,790,000	\$2,678,000
Secret-MP	\$24,476,000	\$4,046,000

The ACES program management plan includes proposed options to screen Top Secret personnel either at the mid-point of the clearance period (30 months since the last investigation) or annually, and the Secret clearance holders at the mid-point of the clearance period (60 months since the last investigation). Based upon these options, the impact costs to the PSI system indicate the additional screening by ACES could be accomplished within the \$25 million dollar savings proposed by the Phased PR. Using conservative estimates of the dollar savings from the Phase PR implementation, ACES could screen all the Top Secret clearance holders annually, instead of once every five years, with no cost to the system. ACES coupled with the Phased PR, brings the net cost of screening Top Secret personnel annually to nearly zero. By reassigning monetary

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resources to better security processes, a significant improvement and substantial risk reduction to the overall PSI process is achieved.

The combination of Phased PR and ACES screening could be an alternative to the current PSI process, a process that will dramatically increase the system effectiveness with no additional costs. Although ACES is currently still in testing, its screening will substantially reduce risk while increasing the quality of the personnel security system during a time when national security is the focus of the Department of Defense. The marriage of the two initiatives is the first substantial improvement to the PSI process since the consolidation of background checks into the Single Scope Background Investigation (SSBI), nearly 11 years ago. These initiatives could provide a real long-term solution to the personnel security crisis and address the backlog issue by way of changing how those investigations are conducted. The savings offered by Phasing PR and the performance anticipated from ACES are impressive by themselves individually, but when coupled together these improvements to the overall PSI system almost guarantee success. §

Analysis Of The Antideficiency Act (ADA) In The Department Of The Navy (DON) By LCDR Eric D. Cheney

INTRODUCTION



Every year the Department of the Navy (DON) expends enormous resources developing a budget and competing with other federal agencies for scarce taxpayer dollars to execute its mission. It is important that in our pursuit of scarce dollars, the people who provide us the money trust that we will be good stewards of the money. Negative public and Congressional perceptions jeopardize Navy funding. As responsible stewards of taxpayer dollars, we must strive to obtain the optimum use of our available resources, within the limits of the law.

Integral to this process is defining how much money is needed to execute our assigned mission, and telling Congress what we are going to spend the money on and at what rate we plan on spending the money. Learning from mistakes as early as the 19th century, Congress implemented a series of laws designed to prevent government officials from spending the taxpayers' money in a manner that was not intended. Collectively, these laws are referred to as the *Antideficiency Act (ADA)*. Execution of the budget contrary to the *ADA* is a violation of federal law.

The *ADA* is actually a series of laws whose objective is to bind the executive branch of government to the expenditure limits of appropriated funds. Although complex in operation, the basic principle of the law, as the U.S. General Accounting Office (GAO) reports, is simple: "Government officials are warned not to make payments – or to commit the United States to make payments at

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